

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

P.S – Sri K. V. Ramana, former CSRI, O/o MRO, Atchutapuram mandal & now Retd. - Committed certain irregularities diverting the PDS Rice and sustained huge loss to the ESCOM- Disciplinary action initiated – Charges held proved – Imposing punishment of 50% cut in pension permanently besides recovery of the amount defalcated – Orders – Issued.

[illegible]**REVENUE (VIGILANCE-I) DEPARTMENT**

G.O.RT.No. 470

Dated: 26-05-2015

Read the following:-

1. From the Collector, Visakhapatnam district Lr.No. 4098/89/A-7,
Dated: 5-11-1993
2. Govt. in Memo No. 899863/Ser.I(2)/93-3, Dt: 16-10-1997.
3. From V. Subba Rao, SDC, written statement of defence, dt: 14-11-1997
4. Charge memo issued to Sri K.V.Ramana, formerly CSRI, O/o MRO,
Atchutapuram mandal by the EO and Sub-Collector, Narsipatnam,
vide Rc.No.1002-97, G, Dt. 2.4.1998.
5. From the Spl.CS & CCLA, Lr.No.D5/3169/98, Dt. 25.1.2001.
6. G.O.Rt.No.898, Rev (Vig. III) Dept., Dt: 27-4-2001.
7. From the Joint Collector, Visakhapatnam Dist. Enquiry report,Dt:6-10-02
8. Govt. Memo No.6120/Vig. III(1)/2001-12, Dated:12-5-2003
with enclosed Enquiry Report.
9. From Sri K.V Ramana, former CSRI, written statement of defence,
dt: 25-11-2003
10. From the Hon'ble High Court of A.P., Orders dt: 3-11-2003 in W.P.No.
22714/2003 filed by Sri K.V Ramana.
11. Govt., Memo.No.6120/Vig.III(1)/2001, Dt. 29.1.2004.
- 12.From the Asst. Registrar, APAT, Orders dt: 12-4-2010 in O.A No. 2179/2010
filed by Sri K.V Ramana, Sr. Asst. O/o Tahsildar, Pedagantyda.
13. From the Collector, Visakhapatnam Dist.Lr.No.4098/98, Dt:17-4-2010.
14. Memo No.17947/Vig.III(1)/2010-1, Dated:1-5--2010
15. From the Hon'ble APAT, Orders dt: 19-4-2010 in O.A No. 2179/2010
filed by Sri K.V Ramana, Sr.Asst. O/o Tahsildar, Pedagantyada.
16. Govt. Memo No. 17947/Vig.III(1)/2010-1 & 2 dt: 1-5-2010.
17. From the Hon'ble APAT orders dt:12-8-2010 in O.A No. 2179/2010
with VMA No. 902/2010.
18. From the Collector,Visakhapatnam district Lr. No. 4098/1999, A2,
Dt:5-8-2010 & 26-8-2010.
19. G.O.Ms.25, G.A (Ser.C) Dept., Dt: 3-2-2004.
20. Govt., Memo.No.17947/Vig.III(1)/2010-3, Dt. 21.03.2010.
21. Explanation of Sri K.V. Ramana, Sr. Asst., (Retd.), O/o Tahasildr,
Pedagantyada (M), Visakhapatnam district, Dt. 3.6.11.
22. Govt., Memo.No.17947/Vig.III(1)/2010-7, Dt. 16.2.2012.
23. From the Dist. Collector, Visakhapatnam Lr.No.4098/1999-A2,
Dt. 2.3.2012.
24. Govt., Lr.No.17947/Vig.I(1)/2010, Dt. 14.10.2014 addressed to
the APPSC, Hyd.,
25. From the Secy., APPSC, Hyd., Lr.No.55/RT/1/2015, Dt. 30.1.2015.

ORDER:

1) It was brought to the notice of the Government by the District Collector, Visakhapatnam, that the Revenue Divisional Officer, Narsipatnam, Visakhapatnam district in the letter 1st read above, reported that Sri V. Subba Rao, Special Deputy Collector (Land Acquisition) Telugu Ganga Project, Nellore while working as Mandal Revenue Officer, Atchutapuram Mandal, Visakhapatnam district has committed certain grave irregularities diverting the Public Distribution System Rice and sustained huge loss to the ESCOM and therefore, requested the Government to take action against him. Government, have issued Article of Charges against Sri V. Subba Rao, Special Deputy Collector (Land Acquisition), Telugu Ganga Project, Nellore for the said irregularities. He has submitted Written Statement of Defence.

(Contd...P..2)

2) The Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad, in the reference 5th read above, has informed that these irregularities are grave in nature and Sri V. Subba Rao, DC, the CSRI Sri K. V. Ramana, is also involved in this case. He has therefore requested the Government, to appoint Enquiry Officer to conduct regular joint enquiry in the matter.

3) And whereas, Government in the 6th read above have appointed the Joint Collector, Visakhapatnam District as Enquiry Officer to enquire into the charges framed against Sri K.V Ramana, CSRI, O/o Mandal Revenue Office, Atchutapuram mandal along with Sri. V. Subba Rao, former Mandal Revenue Officer, Atchutapuram mandal. The Enquiry Officer has submitted his enquiry report in the ref. 7th read above stating that the charges framed against the charged officers are held proved.

4) In the reference 8th read above, a show cause notice issued to Sri K.V Ramana, CSRI, O/o Mandal Revenue Office, Atchutapuram duly communicating the Enquiry Officer's report with a direction, as to why the suitable punishment should not be imposed against him besides recovery of Rs. 4,33,463-15 towards the cost of misappropriated stock of PDS rice in the reference 8th read above.

5) Sri K.V Ramana, CSRI, O/o Mandal Revenue Office, Atchutapuram mandal, has submitted his representation in the ref. 9th read above stating among other things, he has requested to exonerate from the charges.

6) Further he has filed O.A No. 5543/2003 challenging the show cause notice in the Hon'ble APAT and the same was dismissed at the admission stage.

7) Subsequently, he filed W.P No. 22714/2003 against the orders passed by the APAT in O.A No. 5543/2003, Dt: 11-9-2003.

8) The Hon'ble High court of A.P. in their orders dt: 3-11-2003 in W.P.No. 22714/2003 issued in the ref. 10th read above has made the following orders:-

".....Accordingly, the impugned show cause notice dated: 12-5-2003 is set aside and the Dist. Collector, Visakhapatnam is directed to proceed with the matter from the stage of Enquiry officer's report and pass appropriate orders. The petitioner is granted four weeks time from today to submit his explanation, if any, to the report of the enquiry officer already furnished to him through the Govt. The disciplinary authority shall consider the report submitted by the Enquiry officer and also the explanation, if any, submitted by the petitioner and appropriate orders shall be passed with in a period of two months from the date of receipt of a copy of this order."

9) Accordingly Government in memo 11th read above, while enclosing the explanation of Sri K.V Ramana, former CSRI, O/o Mandal Revenue Office, Atchutapuram in original has requested the Collector, Visakhapatnam District to take further action for passing final orders on the disciplinary proceedings initiated against Sri K.V Ramana the then CSRI keeping in view of the Judgment of Hon'ble High Court and furnish the action report to Government.

10) The Collector, Visakhapatnam district in the ref. 13th read above, has again seeking orders from the Government in respect of Sri K.V Ramana, former CSRI, Atchutapuram mandal keeping in view of the orders of Hon'ble Andhra Pradesh Administration Tribunal in O.A.No. 2179/2010 filed by the Charged Officer. Government, have directed the Dist. Collector, Visakhapatnam to file necessary counter affidavit.

11) Further, the Hon'ble Andhra Pradesh Administration Tribunal in their final orders issued in the ref. 17th read above have dismissed the O.A No. 2179/2010 with VMA No.902/2010 filed by Sri K.V Ramana, former CSRI, Atchutapuram mandal, Visakhapatnam district. The Collector, Visakhapatnam district in the ref. 18th read above, while stating the details of the disciplinary case pending against Sri K.V Raman has requested the Government to take necessary action against him under rule 9 of Andhra Pradesh Revised Pension Rules, 1980 since Sri K.V Ramana was retired from service on 30-6-2010.

::3::

12) Government after careful examination of the entire matter have provisionally decided to withhold entire pension permanently besides recovery of mis - appropriated amount from him. The charged officer has submitted his detailed explanation in the reference 21st read with a request to drop further action against him.

13) In the reference 22nd read above, the District Collector, Visakhapatnam has been requested to furnish his remarks on the explanation of the Charged Officer. The Collector, Visakhapatnam dist. in the reference 23rd read above, has stated that on perusal of the records and explanation submitted by the delinquent official, it is crystal clear that the delinquent Officials have failed to account for a quantity of Q. 720-58-360 Gms of rice received at the Mandal Level stockiest point during the period from 16.10.1986 to 29.5.1987 and also shortage of rice of Q. 102-88-359 and caused huge loss to the Government. The Collector, Visakhapatnam district has requested the Government to take action for dispose of the disciplinary case pending against the Delinquent Officer under the provision of Andhra Pradesh Revised Pension Rules, 1980.

14) Government, after detailed examination of the matter, have decided to confirm the provisional decision to withhold entire pension and gratuity permanently besides recovery of mis - appropriated amount from Sri K.V Ramana, Senior Assistant (Retd) and addressed to the Secretary, Andhra Pradesh Public Service Commission for their concurrence on the proposed punishment in the reference 24th read above.

15) The Andhra Pradesh Public Service Commission in the reference 25th read above, has stated that after examining the proposal in the light the records made available, Commission opined that the proposed penalty is disproportionately on the high side and therefore, Commission advise the Government to scale down the penalty to 50% cut in pension permanently besides recovery of the amount defalcated.

16) Government after careful examination of matter and after following due procedure have decided to impose 50% cut in pension permanently besides recovery an amount of Rs. 4,33,463.15/- for the said irregularities.

17) Accordingly, Government is hereby order to impose the punishment 50% cut in pension permanently on Sri K.V Ramana, former Mandal Revenue Inspector (CS) Atchutapuram (M), Visakhapatnam district (Retd) besides recovery an amount of Rs. 4,33,463.15/- for the said irregularities against him.

18) The Chief Commissioner of Land Administration shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C. SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K.V Ramana, former CSRI, Atchutapuram mandal, Nellore (Retd)
Visakhapatnam district
(Through the CCLA, A.P., Hyderabad)
The Chief Commissioner of Land Administration, A.P., Hyderabad
The Collector, Visakhapatnam District
Copy to:
The Andhra Pradesh Vigilance Commission, Secretariat, Hyderabad.
The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.
SC/SF

//FORWARDED:: BY ORDER//

SECTION OFFICER